IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTIETH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

-

W.P.NO.8999 OF 1993, 6793, 22683 OF 1994 AND

2180 OF1995

WRIT PETITION NO : 8999 of 1993

Between:

1. V.Krishna Murthy S/o. V.Balaiah
A.P.State Civil Supplies Corporation (District Office) Civil

Supplies Bhavan, Somajiguda, Hyderabad R/o.Nizamabad
2. A.Durga Prasad S/o.Venkaiah
A.P.State Civil Supplies Corporation (District Office) Civil

Supplies Bhavan, Somajiguda, Hyderabad R/o. Hyderabad
3. T.Neeladri Raju S/o.Rama Raju
A.P.State Civil Supplies Corporation (District Office) Civil

Supplies Bhavan, Somajiguda, Hyderabad
4. G.Siddaiah S/o.G.Ankalu
A.P.State Civil Supplies Corporation (District Office) Civil

Supplies Bhavan, Somajiguda, Hyderabad
5. Ch.Subbaramaiah S/o.Laxminarayana
A.P.State Civil Supplies Corporation (District Office) Civil

Supplies Bhavan, Somajiguda, Hyderabad

..... PETITIONERS

AND

1. The AP.State Civil Supplies Corporation Limited, rep.by its VC

& MD, Civil Supplies Bhavan, Somajiguda, Hyderabad

2. The Government of Andhra Pradesh rep.by its Secretary
Food & Agriculture (Civil Supplies) Department, Secretariat,

Hyderabad
3. The Commissioner, Civil Supplies Corporation Andhra Pradesh,

Hyderabad
4. N.Prasada Rao S/o.Pulla Rao, 39 years
5. Ch.Surya Bhaskaram S/o.late Satyanarayana Murthy
42 years.
6. Y.Rajendra Prasad S/o.late Rama Mohan
Hyderabad
7. K.Rama Devi W/o. M. Raja, Hyderabad

8. K.Bhaskara Rao S/o.Ramann
Hyderabad
9. B.Ramudu S/o.B.Appa Rao, Hyderabad
10. K.Sree Rama Murthy S/o.K.L.Narasimham
Hyderabad
11. B.Suri Babu S/o.Subba Rao
Hyderabad
12. K.Yadamma W/o.M.Yadaiah
Hyderabad
13. V.Anjana Devi W/o.O.Saibaba
Hyderabad
14. P.Aruna W/o.MDV Prasada Rao
Hyderabad
15. Ch.Kalpana W/o.K.Nagabhushanam
Hyderabad
16. KSR Rajeswari W/o.MK.Lokanadha Raju
Hyderabad
17. K.Vedavathy W/o.K.Krishna Dass
Hyderabad
18. Sayeeda Begum W/o.M.K.Majhar
Hyderabad
19. K.L.Sailaja W/o.B.Venkata Rao
Hyderabad
20. C.Chandravathy W/o.G.L.Naidu
Hyderabad
21. S.P.Katyayani W/o.GSR Murthy
Hyderabad
22. BH Ratna Kumari W/o.SVS Ramachandra Rao
Hyderabad

R4 to R22 are impleaded as per Court orderdated 11.11.1998 in W.P.No.24862 of 1998.

....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a writ order or direction particularly one in the nature of writ of mandamus declaring the action of the respondents in issuing the GO.Ms.No.694, Food and Agriculture (CS.III) Dept., dt.1-10-1991 in so far as paras 7 and 8 are concerned, as illegal, arbitrary and violative of Articles 14, 16 and 21 of the Constitution of India

and directing the respondents to place the employees of the ESCOM below the employees of the Civil Supplies Corporation in their respective categories.

Counsel for the Petitioner: MR.M.PANDURANGA RAO

Counsel for the Respondents 1 to 3: GP FOR CIVIL SUPPLIES

Counsel for the Respondent 4 to 22: Sri N.Subba Reddy

WRIT PETITION NO : 6793 of 1994

Between:

1. Shaik Karamthullah, s/o S.Ahmed,

Assistant Manager (Technical), A.P.State Civil

Supplied Corporation Limited, (APSCSCL)

Somajiguda, Hyderabad aged 48years, now

Resident of10-2-289/92/F/303.S.Aparajita Apartments,

Shantinagar, Hyderabad.

2. P.Prabhakar, s/o Satyanarayana, aged 43 years,

Assistant Manager, (Tech.) APSCSCL,Head office,

Somajiguda, Hyderabad.

3. K.Karmakar Rao, s/oMuralidhar rao,

aged 41 years., Assistant Manager (Technical), APSCSCL,

Sangareddy,

..... PETITIONERS

AND

1. The Government of Andhra Pradesh, Rep.by

Ex.Officio Additional Secretary to Government

Food & Agriculture (CS.III) Department, Civil Supplies,

Bhavan, Somajiguda, Hyderabad.

2. The government of Andhra Pradesh, General Administration

Department Rep.by the Commissioner of Public

Enterprises and Ex Officio Principal Secretary to Government

Secretariat, Secretariat Buildings, Hyderabad.

3. The commissioner of Civil Supplies, Government of

Andhra Pradesh, Hyderabad.

4. The A.P. State Civil Supplies Corporation Limited,

rep.by its Vice Chairman & Managing Director

Civil Supplies Bhavan, Somajiguda, Hyderabad

(Opp.Errammanzil).

5. N.Praswada Raos/o Pulla Rao, 39 years

6. Ch.SuryaBhaskaram s/o late Satyanarayana Murthy, 42 years.

7. Y.Rajendra Prasad s/o late Rama Mohan, 39 years,

8. K.Rama Devi w/o M. Raja, aged 38years.

9. K.Bhaskara Rao s/o Ramann aged 40 years.

10. B.Ramudu s/o B.Appa Rao, 43 years.

11. K.Sree Rama Murthy s/o K.L.Narasimham, 44 years.

12. B.SuriBabu s/o Subba Rao, 45 years.

13. K.Yadamma w/o M. Yadaiah 40 years.

14. V.Anjana devi w/o O.Saibaba, 48 years

15. P.Aruna w/o MDV Prasada Rao, 36 years.

16. Ch Kalpana w/o B.Venkata Rao, 37 years.

17. KSR Rajeswariw/o M.K.Lokanadha raju, 36 years.

18. K.Vedavathi s/o K.Krishna Dass, 40 years.

19. Sayeeda Begumw/o M.K.Majhar, 39 years.

20. K.L.Sailaja w/o B.Venkata Rao, 37 years.

21. C.Chandravathy w/o CL Naidu, 39 years.

22. S.P.Katyayani w/o CL Naidu, 39 years.

23. B.H.Ratna Kumari w/o S.V.S.Ramachandra Rao, 40 years.

Respondents 5 to 23 impleaded as per Court order dated 9.9.1997 in W.P.M.P.no.22929 of 1997

....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate Writ order or direction, more particularly one in the nature of writ of certiorari and call for the records relating to and connected with G.O.Ms.No.61 Food & Civil Supplies (III) Department dated 22.1.1994 and quash or set aside para XI of the said G.O. as arbitrary, illegal and unconstitutional and consequently to direct the respondents to fix the Assistant Managers absorbed from A.P. State Essential Commodities Corporation, below the existing Assistant Managers of the A.P. State Civil Supplies Corporation for the purpose of promotion to higher categories and to make promotions to higher categories accordingly.

Counsel for the Petitioners: MR.C.V.BHASKAR REDDY

Counsel for the Respondent No.1 to 4: GP FOR CIVIL SUPPLIES

Counsel for the Respondents 5 to 23: Sri N.Subba Reddy

WRIT PETITION NO : 22683 of 1994

Between:

Revu Gandhi, s/o Revu Veerayya,

Aged about 45 years, Assistant Manager (General)

P.D.S. Section, o/o Vice Chairman & Managing Director,

A.P. State Civil Supplies Corporation Ltd.

Erramanzil, Hyderabad

R/o Madapur, Hyderabad.

..... PETITIONER

AND

1. The Government of Andhra Pradesh,

Rep.by Ex.Officio Secretary to Government,

Food & Civil Supplies (III),Deparment,

Secretariat, hyerabad.

2. The Government of Andhra Pradesh, General

Administration Department, Rep.by the Public

Enterprises and Ex Officio Principalsecretary to

Government, Secretariat Buildings,

Secretariat, Hyderabad.

3. The Commissioner of Civil Supplies, Government of

Andhra Pradesh, Civil Supplies Bhavan, Somajiguda,

Hyderabad.

4. The A.P. State Civil Supplies Corporation Limited,

Rep. by its Vice Chairman &Managing Director, Civil

Supplies Bhavan, Somajiguda, Hyderabad.

5. N.Praswada Raos/o Pulla Rao, 39 years

6. Ch.SuryaBhaskaram s/o late Satyanarayana Murthy, 42 years.

7. Y.Rajendra Prasad s/o late Rama Mohan, 39 years,

8. K.Rama Devi w/o M. Raja, aged 38years.

9. K.Bhaskara Rao s/o Ramann aged 40 years.

10. B.Ramudu s/o B.Appa Rao, 43 years.

11. K.Sree Rama Murthy s/o K.L.Narasimham, 44 years.

12. B.SuriBabu s/o Subba Rao, 45 years.

13. K.Yadamma w/o M. Yadaiah 40 years.

14. V.Anjana devi w/o O.Saibaba, 48 years

15. P.Aruna w/o MDV Prasada Rao, 36 years.

16. Ch Kalpana w/o B.Venkata Rao, 37 years.

17. KSR Rajeswari w/o M.K.Lokanadha raju, 36 years.

18. K.Vedavathi s/o K.Krishna Dass, 40 years.

19. Sayeeda Begumw/o M.K.Majhar, 39 years.

20. K.L.Sailaja w/o B.Venkata Rao, 37 years.

21. C.Chandravathy w/o CL Naidu, 39 years.

22. S.P.Katyayani w/o CL Naidu, 39 years.

23. B.H.Ratna Kumari w/o S.V.S.Ramachandra Rao, 40 years.

Respondents 5 to 23 impleaded as per Court order dated 2.9.1998 in W.P.M.P.no.22928 of 1997

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate writ order or direction, more particularly one in the nature of writ of Certiorari and call for the records relating to and connected with G.O.Ms.No.61 Food and Civil Supplies (III Department dated 22.1.1994 and G.O.Ms.NO.694 Food and Agriculture (CSIII) Department dated 1.10.1991 and quash or set aside para XI of the G.O.Ms.No.61 dated 22.1.1994 and para 8 of the G.O.Ms.No.694 Food and Agriculture (CS-III) Department dated 01.10.1991 as arbitrary, illegal and unconstitutional and consequently to direct the respondents to fix the seniority of the Assistant Managers of erstwhile A.P. State Essential commodities Corporation (ESCOM) who are absorbed in the A.P. state Essential Commodities Corporation, below the existing Assistant Managers (General) of the A.P. State Civil Supplies Corporation for the purpose of seniority and promotion to higher categories and to make promotions to higher categories accordingly.

Prayer amended as per the direction of the Court in W.P.M.P.No.1803 of 1995 dated 3.2.1995.

Counsel for the Petitioner:MR.MEHERCHAND NOORI

Counsel for the Respondents 1 to 4: MR.K.RAGHUVEER REDDY

Counsel for the Respondents 5 to 23: Sri N.Subba Reddy

WRIT PETITION NO : 2180 of 1995

Between:

P.C.Aravinda Babu, s/o P.Changaiah,

Aged about44 years, presently working as Assistant Manager

O/o the District Manager, A.P.S.C.S.C.Ltd., Visakhapatnam.

..... PETITIONER

AND

1. The Government of Andhra Pradesh, Rep.by its

Ex Officio secretary, Food and Civil Supplies

Department, Secretariat, Hyderabad

2. The Commissioner of civil Supplies and Chairman,

Civil Supplies Corporation, Erramanzil, Hyderabad.

3. The Vice Chirman and managing Director, A.P. State

Civil Supplies Corporation Ltd., Erramanzil,

Hyderabad.

4. N. Praswada Raos/o Pulla Rao, 39 years

5. Ch.Surya Bhaskaram s/o late Satyanarayana Murthy, 42 years.

6. Y. Rajendra Prasad s/o late Rama Mohan, 39 years,

7. K. Rama Devi w/o M. Raja, aged 38years.

8. K.Bhaskara Rao s/o Ramann aged 40 years.

9. B.Ramudu s/o B.Appa Rao, 43 years.

10. K.Sree Rama Murthy s/o K.L.Narasimham, 44 years.

11. B.SuriBabu s/o Subba Rao, 45 years.

12. K.Yadamma w/o M. Yadaiah 40 years.

13. V.Anjana devi w/o O.Saibaba, 48 years

14. P.Aruna w/o MDV Prasada Rao, 36 years.

15. Ch Kalpana w/o B.Venkata Rao, 37 years.

16. KSR Rajeswariw/o M.K.Lokanadha raju, 36 years.

17. K.Vedavathi s/o K.Krishna Dass, 40 years.

18. Sayeeda Begumw/o M.K.Majhar, 39 years.

19. K.L.Sailaja w/o B.Venkata Rao, 37 years.

20. C.Chandravathy w/o CL Naidu, 39 years.

21. S.P.Katyayani w/o CL Naidu, 39 years.

22. B.H.Ratna Kumari w/o S.V.S.Ramachandra Rao, 40 years.

Respondents 5 to 22 impleaded as per Court order dated 9.08.1997 in W.P.M.P.no.22927 of 1997

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue writ order or direction particularly one in the nature of writ of mandamus declaring the respondents cannot be effected promotions in the category of senior Grade Officers Grade II in Class I of A.P. State Civil Supplies Corporation Limited by considering the cases of personnel belonging to A.P. State Essential Commodities Corporation and that they shall fill up the said posts only in accordance with the staff regulations especially regulations called as Andhra Pradesh State Civil Supplies Corporation Limited Employees recruitment and service regulations and that any deviation is contrary to law and violative of Article 14 and 16of the Constitution of India.

Counsel for the Petitioners: MR.C.SRINIVASA BABA

Counsel for the Respondents 1 to3: MR.V.T.M.PRASAD

Counsel for the Respondents 4 to 22: Sri N. Subba Reddy

The Court made the following:

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

W.P.NOS.8999 OF 1993, 6793 OF 1994, 22683 OF 1994

and 2180 OF 1995

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COMMON ORDER:

Mr N.Subba Reddy, learned senior counsel appearing on behalf of the respondents, states that the issues regarding equation of posts, *inter se* seniority etc. between employees of the erstwhile A.P. State Essential Commodities Corporation Limited and A.P. State Civil Supplies Corporation limited, were referred to a committee. Lr.No.1094/CS-I(2)/2000-2, dated 23.12.2000 was addressed by the Ex-Officio Principal Secretary to the Government, Food, Civil supplies and Consumer Affairs (CS-I) Department to the Principal, Administrative Staff College of India, requesting that a Manpower study be conducted in respect of A.P. State Civil Supplies Corporation Limited and to submit his report to enable the Government to take a final view on the issue of cadre strength, seniority and promotional avenues of employees of the A.P. Civil Supplies Corporation. This letter, dated 23.12.2000 is taken on record.

On instructions, from the Secretary to Government, Sri N.Subba Reddy, learned senior counsel submits that the report has been received by the Government, the matter is under detailed examination and that the Government will take a final decision in this matter within a period of three months. Needless to state that on such a decision being taken by the Government, it is always open to the parties, if they are so aggrieved, to institute appropriate proceedings.

These Writ Petitions are disposed of accordingly.

20-06-2005

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To

1. The Ex Officio Secretary to Govt. Civil Supplies, The Government of Andhra Pradesh, Civil Supplies Department, Secretariat, Hyderabad

2. The Commissioner of civil Supplies and Chairman,

Civil Supplies Corporation, Erramanzil, Hyderabad.

3. The Vice Chirman and managing Director, A.P. State

Civil Supplies Corporation Ltd., Erramanzil,

Hyderabad.

4. 2 CCs to G.P. for Civil Supplies, High Court’s Buildings,

Hyderabad (OUT)

5. 2 CD copies.